

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

|                     |   |                   |
|---------------------|---|-------------------|
| JASON YEARY         | ) |                   |
|                     | ) | 10-cv-11076 (GAO) |
| Plaintiff           | ) |                   |
|                     | ) |                   |
| v.                  | ) |                   |
|                     | ) |                   |
| FORD MOTOR COMPANY, | ) | OCTOBER 1, 2010   |
|                     | ) |                   |
| Defendant           | ) |                   |
|                     | ) |                   |

**FORD MOTOR COMPANY'S INITIAL DISCLOSURE**

The defendant, Ford Motor Company (Ford) makes this Initial Disclosure pursuant to Federal Rule of Civil Procedure 26(a).

Ford reserves the right to supplement this disclosure upon the discovery of additional information or, to the extent the plaintiff asserts, clarifies, modifies or otherwise develops additional defect theories in this lawsuit.

(a) **Rule 26 (a)(1)(A)(i): The name and, if known, the address and telephone number of each individual likely to have discoverable information--along with the subjects of that information--that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment.**

Based upon its investigation to date, Ford identifies the following individuals likely to have discoverable information that it may use to support its defenses:

Jason Yeary  
105 Currier Road  
East Falmouth, MA

The plaintiff is believed to have discoverable information concerning the circumstances of his accident, the liability claims against Ford and his alleged injuries.

Representatives of the entity previously known as  
Lighthouse Ford, Inc.  
Formerly of 343 Dillingham Avenue  
Barnstable, MA

These persons are believed to have discoverable information concerning the liability claims asserted against Ford, Lighthouse Ford, Inc.'s relationship to the premises, the plaintiff's employment, the circumstances of the plaintiff's accident and the plaintiff's alleged injuries.

Representatives of  
Ford Leasing Development Company  
330 Town Center  
Suite 1100  
Dearborn, MI 48126

These persons are believed to have discoverable information concerning issues of control of the premises, including the claims asserted against Ford and the relationship of Lighthouse Ford, Inc. to the premises..

5. Falmouth Hospital and unknown medical care providers for the plaintiff

Medical care providers including Falmouth Hospital and others not yet disclosed by the plaintiff may have discoverable information concerning the plaintiff's alleged injuries.

**(b) Rule 26 (a)(1)(A)(ii): A copy--or a description by category and location--of all documents, electrically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment.**

Based upon its investigation to date, Ford identifies the following categories of documents, electronically stored information and tangible things which may be used to support its defenses:<sup>1</sup>

1. Medical and other records pertaining to the plaintiff's medical condition before and after the accident from Falmouth Medical Center and other providers not yet known to Ford. These records are not yet in the possession of Ford.

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<sup>1</sup> By identifying any such document, Ford does not waive any objections to the admissibility of the documents or portions thereof at trial.

2. Lease Agreement dated July 24, 2004;
3. Dealership Sublease dated July 24, 2004;
4. Real Property Purchase and Sale Agreement dated August 18, 2003; and
5. Subordination, Non-Disturbance and Attornment Agreement dated July 24, 2004.

**(c) A computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered.**

Ford is not claiming damages in this action.

(d) For inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment.

Ford has sufficient resources to satisfy any judgment that reasonably could be expected to be awarded as damages in this action, if any.

FORD MOTOR COMPANY  
By its Attorneys,

/s/ Michelle I. Schaffer  
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**CERTIFICATE OF SERVICE**

I hereby certify that on October 1, 2010, a copy of the foregoing document was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

Ralph Cafarelli  
40 Washington Street  
Wellesley, MA 02481

/s/ Michelle I. Schaffer  
Michelle I. Schaffer